

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ANDRII PRYIMACHENKO,

Plaintiff,

-against-

23-cv-10034 (LAK)

HOME BOX OFFICE, INC., et al.,

Defendants.
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ORDER


LEWIS A. KAPLAN, *District Judge*.

I have reviewed the Report and Recommendation of Magistrate Judge Robert W. Lehrburger (the "R&R") with respect to the motion of defendant Home Box Office, Inc. ("HBO") to dismiss the complaint. to which no objections have been filed. The motion to dismiss (Dkt 26) is GRANTED with prejudice except as hereinafter noted.

This ruling is without prejudice to a motion, filed on or before March 17, 2025, for leave to file an amended complaint replacing only the copyright infringement claims. Any such motion shall include as exhibits (1) a copy of the proposed amended complaint, and (2) a copy of the proposed amended complaint marked to show additions and modifications to and subtractions from the copyright infringement claims in the original complaint, and be accompanied by a memorandum of law addressing the question whether the proposed amended complaint would state a legally sufficient and timely claim for copyright infringement.

SO ORDERED.

Dated: March 3, 2025



Lewis A. Kaplan
United States District Judge